



# राजपत्र, हिमाचल प्रदेश

## (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, सोमवार 24 सितम्बर, 1979/2 अगस्त, 1981

हिमाचल प्रदेश सरकार

विधि विभाग

अधिसूचनाएं

शिमला-171002, 22 सितम्बर, 1979

क्रमांक एल०एल०आर०डी(6)42/79.—हिमाचल प्रदेश अन्त्योदय कार्पोरेशन (अमेंडमेंट) अध्यादेश, 1979 (1979 का अध्यादेश संख्यांक 5) को राज्यपाल महोदय द्वारा "भारत का संविधान" के अनुच्छेद 213 के खण्ड (1) के अन्तर्गत दिनांक 20 सितम्बर, 1979 को जैसा प्रख्यापित किया गया एतद्वारा सर्वसाधारण की जानकारी के लिए राजपत्र, हिमाचल प्रदेश में प्रकाशित किया जाता है।

जय चन्द मल्होत्रा,  
सचिव।

Ordinance No. 5 of 1979

**THE HIMACHAL PRADESH ANTYODAYA CORPORATION  
(AMENDMENT) ORDINANCE, 1979**

*Promulgated by the Governor of Himachal Pradesh in the Thirtieth Year of the Republic of India.*

An Ordinance to amend the Himachal Pradesh Antyodaya Corporation Act, 1979 (Act No. 17 of 1979).

Whereas the Legislative Assembly of Himachal Pradesh is not in session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, therefore, in exercise of the power conferred by clause (1) of Article 213 of the Constitution of India, the Governor of Himachal Pradesh is pleased to promulgate the following Ordinance:—

Short title  
and com-  
mencement.

1. (1) This Ordinance may be called the Himachal Pradesh Antyodaya Corporation (Amendment) Ordinance, 1979.

(2) It shall come into force at once.

Amendment  
of section 2.

2. In section 2 of the Himachal Pradesh Antyodaya Corporation Act, 1979 (hereinafter called the principal Act),—

(a) for the existing clause (c) the following clause (c) shall be substituted, namely:—

“(c) ‘bank’ means,—

(i) a banking company as defined in the Banking Regulation Act, 1949;

(ii) the State Bank of India constituted under the State Bank of India Act, 1955;

(iii) a subsidiary bank as defined in the State Bank of India (Subsidiary Banks) Act, 1959;

(iv) a Regional Rural Bank established under the Regional Rural Banks Act, 1976;

(v) a corresponding new bank constituted under the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970;

(vi) any banking institution notified by the Central Government under section 51 of the Banking Regulation Act, 1949;

(vii) the Agricultural Refinance and Development Corporation constituted under the Agricultural Refinance and Development Corporation Act, 1963;

(viii) the Agro-Industries Corporation as defined in clause (c) of section 2 of the Himachal Pradesh Agricultural Credit Operations and Miscellaneous Provisions (Banks) Act, 1972;

(ix) the Agricultural Finance Corporation Limited, a company incorporated under the Companies Act, 1956; and

(x) any other financial institution notified by the State Government in the Official Gazette as bank for the purpose of this Act;”;

17 of 1979

10 of 1949

23 of 1955

38 of 1959

21 of 1976

5 of 1970

10 of 1949

10 of 1963

7 of 1973

1 of 1955

(b) for the existing clause (e) the following clause (e) shall be substituted, namely :—

“(e) ‘Chairman’ and ‘Vice-Chairman’ means the Chairman and the Vice-Chairman of the Corporation;” and

(c) in clause (j) after the word “Chairman” but before the sign “;” the words “and the Vice-Chairman” shall be inserted.

3. In section 7 of the principal Act,—

Amendment  
of section 7.

(a) after the existing proviso to sub-section (1) the following proviso shall be added, namely :—

“Provided further that if it is expedient so to do the State Government may nominate any of the directors to be the Vice-Chairman of the Board and he shall perform such duties and exercise such powers as may be assigned to him or conferred upon him, as the case may be, by the Chairman under sub-section (3) of section 15 of the Act;”;

(b) in sub-section (2) after the word “director” but before the word “due” the words “or the Vice-Chairman” shall be inserted; and

(c) in sub-section (3) after the word “directors” and before the word “and” the words “and the Vice-Chairman” shall be inserted.

4. In section 12 of the principal Act,—

Amendment  
of section  
12.

(a) for existing sub-section (2) the following sub-section (2) shall be substituted, namely :—

“(2) The Chairman, and in his absence the Vice-Chairman, and in the absence of both any other director elected by the directors from amongst themselves, shall preside at every meeting of the Board.”; and

(b) in sub-section (3) for the words and signs “the Chairman, or in his absence the person, presiding,” the words and signs “the Chairman, the Vice-Chairman or the person presiding, as the case may be,” shall be substituted.

5. In sub-section (3) of section 15 of the principal Act, after the words and sign “the Chairman,” the words and sign “the Vice-Chairman,” shall be inserted.

Amendment  
of section  
15.

6. In section 34, and in its margin, of the principal Act, for the figures ‘1889’ the figures ‘1899’ shall be substituted.

Amendment  
of section  
34.

7. In clause (b) of sub-section (2) of section 36 of the principal Act, after the word “directors” but before the word “and” the words “and the Vice-Chairman” shall be inserted.

Amendment  
of section  
36.

AMINUDDIN AHMED KHAN,  
Governor.

SIMLA:  
The 20th September, 1979.

J. C. MALHOTRA,  
Secretary (Law).

शिमला-171002, 22 सितम्बर, 1979

क्रमांक एल0एल0आर0डी0(6) 41/79.—हिमाचल प्रदेश शैड्यूल्ड कास्ट्स डिवेलपमेंट कॉर्पोरेशन (अनेक्टमेंट) अध्यादेश, 1979 (1979 का अध्यादेश संख्यांक 4) को राज्यपाल महोदय द्वारा “भारत का संविधान” के अनुच्छेद 213 के खण्ड (1) के अन्तर्गत दिनांक 20 सितम्बर, 1979 को जैसा प्रख्यापित किया गया एतद्वारा सर्वसाधारण की जानकारी के लिये राजपत्र, हिमाचल प्रदेश में प्रकाशित किया जाता है।

जय चन्द मलहोत्रा,  
सचिव।

Ordinance No. 4 of 1979.

**THE HIMACHAL PRADESH SCHEDULED CASTES DEVELOPMENT CORPORATION (AMENDMENT) ORDINANCE, 1979**

*Promulgated by the Governor of Himachal Pradesh in the Thirtieth Year of the Republic of India.*

An Ordinance to amend the Himachal Pradesh Scheduled Castes Development Corporation Act, 1979 (Act No. 20 of 1979).

Whereas the Legislative Assembly of Himachal Pradesh is not in session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action.

Now, therefore, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution of India, the Governor of Himachal Pradesh is pleased to promulgate the following Ordinance:—

1. (1) This Ordinance may be called the Himachal Pradesh Scheduled Castes Development Corporation (Amendment) Ordinance, 1979.

Short title and commencement.

(2) It shall come into force atonce.

2. In section 2 of the Himachal Pradesh Scheduled Castes Development Corporation Act, 1979 (hereinafter called the principal Act),—

Amendment of section 2.

(a) after clause (a) the following clause (aa) shall be inserted, namely:—

“(aa) ‘bank’ means,—

- (i) a banking company as defined in the Banking Regulation Act, 1949,
- (ii) the State Bank of India constituted under the State Bank of India Act, 1955,
- (iii) a subsidiary bank as defined in the State Bank of India (Subsidiary Banks) Act, 1959,
- (iv) a Regional Rural Bank established under the Regional Rural Banks Act, 1976,
- (v) a corresponding new bank constituted under the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970,
- (vi) any banking institution notified by the Central Government under section 51 of the Banking Regulation Act, 1949,
- (vii) the Agricultural Refinance and Development Corporation constituted under the Agricultural Refinance and Development Corporation Act, 1963,
- (viii) the Agro-Industries Corporation as defined in clause (c) of section 2 of the Himachal Pradesh Agricultural Credit Operations and Miscellaneous Provisions (Banks) Act, 1972,
- (ix) the Agricultural Finance Corporation Limited, a company incorporated under the Companies Act, 1956, and
- (x) any other financial institution notified by the State Government in the Official Gazette as bank for the purposes of this Act;”

10 of 1949  
23 of 1955  
38 of 1959  
of 1976  
5 of 1970  
10 of 1949  
10 of 1963  
7 of 1973  
1 of 1956

(b) for the existing clause (d) the following clause (d) shall be substituted, namely:—

“(d) ‘Chairman’ and ‘Vice-Chairman’ means the Chairman and the Vice-Chairman of the Corporation;” and

(c) in clause (f) after the word “chairman” but before the sign “;” the words “and the vice-chairman” shall be inserted.

Amendment  
of section 7.

3. In section 7 of the principal Act,—

(a) after the existing sub-section (2) the following proviso shall be added, namely:—

“Provided that if it is expedient so to do the State Government may nominate any of the directors to be the vice-chairman of Board and he shall perform such duties and exercise such powers as may be assigned to him or conferred upon him, as the case may be, by the Board under sub-section (2) of section 15 of the Act:”;

(b) in sub-section (3) after the word “director” but before the word “due” the words “or the vice-chairman” shall be inserted;

(c) in sub-section (4) after the word “directors” but before the word “and” the words “and the vice-chairman” shall be inserted.

Amendment  
of section 8.

4. In section 8 after the words “other than” but before the words “the managing director” the words “the chairman and” shall be inserted.

Amendment  
of section  
12.

5. In section 12 of the principal Act,—

(a) for the existing sub-section (2) the following sub-section (2) shall be substituted, namely:—

“(2) The Chairman, and in his absence the vice-chairman, and in the absence of both any other director elected by the directors from amongst themselves, shall preside at every meeting of the Board.”; and

(b) in sub-section (3) for the words and signs “the chairman, or in his absence the person presiding;” the words and signs “the chairman, vice-chairman or the person presiding, as the case may be,” shall be substituted.

Amendment  
of section  
15.

6. In sub-section (2) of section 15 of the principal Act, after the words “delegate to” but before the words “the managing director” the words and sign “the chairman, the vice-chairman,” shall be inserted.

Substitution  
of section  
27.

7. For the existing section 27 of the principal Act, the following section alongwith its heading shall be substituted, namely:—

“27. *Charge of Corporation on debtor's property.*—Notwithstanding anything contained in any law for the time being in force, but subject to the provisions in any law made by the Parliament relating to priority of charges and to any prior claim of a bank or of the Government in respect of land revenue or any money recoverable by it as arrears of land revenue, the dues of the Corporation as determined under the preceding section of this Act together with interest accrued thereon and costs of recovery shall be the first charge on the property of the debtor and the guarantor, if any.”

8. In section 36, and in its margin, of the principal Act, for the figures "1889" the figures "1899" shall be substituted.

Amendment  
of section  
36.

9. In clause (a) of sub-section (2) of section 38 of the principal Act, after the word "directors" but before the word "and" the words "and the vice-chairman" shall be inserted.

Amendment  
of section  
38.

SIMLA:  
The 20th September, 1979.

AMINUDDIN AHMED KHAN,  
Governor.

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J. C. MALHOTRA,  
Secretary (Law).

